

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

3:07cr218

UNITED STATES OF AMERICA

v.

JIMMY BRICE (1)

ORDER

THIS MATTER comes before the Court upon the defendant's pro se motion for trial and sentencing hearing transcripts. (Document No. 71). The defendant's conviction and sentence were affirmed by the Fourth Circuit on March 5, 2010. (Doc. No. 69: Opinion).

In order to obtain copies of transcripts at government expense, a defendant must show that he is indigent and that the transcripts "are needed to decide the issue presented by the suit ..." 28 U.S.C. § 753(f). A prisoner is not entitled to free transcripts without a showing of need, merely to comb the record in hopes of discovering some flaw. United States v. Glass, 317 F.2d 200, 202 (4th Cir. 1963). Here, the defendant states that transcripts are necessary for the preparation of a petition pursuant to 28 U.S.C. § 2255, but he does not indicate any particular issue that requires transcripts. Thus, his request does not pertain to any pending suit or appeal.

IT IS, THEREFORE, ORDERED that the defendant's motion for transcripts is **DENIED**.

Signed: August 20, 2010



Robert J. Conrad, Jr.
Chief United States District Judge

